



UNITED STATES PATENT AND TRADEMARK OFFICE

✓
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,020	10/16/2001	Daniel S. Kohane	0492611-0417 (MIT 8966)	5504
24280	7590	02/08/2008	EXAMINER	
CHOATE, HALL & STEWART LLP TWO INTERNATIONAL PLACE BOSTON, MA 02110			FUBARA, BLESSING M	
ART UNIT		PAPER NUMBER		
1618				
MAIL DATE		DELIVERY MODE		
02/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)
	09/981,020	KOHANE ET AL.
	Examiner Blessing M. Fubara	Art Unit 1618

All participants (applicant, applicant's representative, PTO personnel):

(1) Blessing M. Fubara.

(3) Nicole Clouse (Attorney). *KKC*

(2) Brenda Jarrell (Attorney) *BHJ*

(4) _____.

Date of Interview: 05 February 2008.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: Pending claims.

Identification of prior art discussed: Prior art of record.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.

M.F. Fubara

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant asserts that Bernstein does not teach a solid microparticulate matrix that is made up of lipid, protein and sugar in the specific ratios recited. While Bernstein lists a number of materials that can form the matrix, Bernstein does not indicate using mixture or blend of those materials for the matrix. Applicant is considering amending the claim where possible to overcome the rejections under 35 USC 112 (for example, use Markush language), and where not, as in the case for the New Matter rejection, point to the specification for support for the exclusion of synthetic polymer in the matrix. Applicant may also further define the agent in such a way to convey to the artisan what applicant may mean by agent (for example, recite pharmaceutical agents, diagnostic agent, etc). The rejection is at Non-final and the examiner will consider the amendment and remarks when filed.